

**REMARKS**

Claims 1, 5-6, 8-16, 18-24 and 26 are pending in this application. Claims 2-4, 7, 17 and 25 were cancelled previously. Claims 1, 13, 20 and 24 are the independent claims.

Claims 13, 18 and 20 are objected to due to certain informalities that have been addressed herein, thereby obviating these objections.

Independent claims 1 and 24 have been amended to recite that the stuff bits are generated based on at least a *piece-wise linear function* of a phase difference between the first timing signal and the second timing signal. Likewise, independent claims 13 and 20 have been amended to recite that the relationship between the filtered phase metric signal and the stuff rate signal is *piece-wise linear*. Support for this limitation may be found in paragraph 31 and figure 5b of Applicants' specification.

**Rejection Under 35 U.S.C. §112, first paragraph**

Claims 1, 5, 6, 8-12, 24 and 26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and as failing to comply with the enablement requirement. Independent claims 1 and 24 have been amended to recite that the stuff bits are generated based on at least a function of *a phase difference between the first timing signal and the second timing signal*. Support for this limitation is found, for example, in paragraphs 30 and 31 of Applicants' specification. This limitation also appeared in previously presented versions of claims 1 and 24. Accordingly, Applicants believe that the rejection of claims 1, 5, 6, 8-12, 24 and 26 has been overcome and reconsideration and withdrawal of the rejection under 35 U.S.C. 112, first paragraph is respectfully requested.

**Rejection Under 35 U.S.C. §112, second paragraph**

Claims 16, 18 and 23 are rejected under 35 U.S.C. 112, second paragraph as being indefinite.

Claim 16 is rejected because there is no antecedent basis for the *first network protocol*. Claim 16 has been amended to recite the *synchronous network protocol*.

Claims 18 and 23 are rejected because of a lack of antecedent basis. Claims 18 and 23 have been amended to recite that the extracted data is formatted according to the plesiochronous network protocol and comprises a DS1 data stream.

Accordingly, Applicants respectfully request that the rejection of claims 16, 18 and 23 under 35 U.S.C. 112, second paragraph be reconsidered and withdrawn.

**Rejection Under 35 U.S.C. §102(b) and §103(a)**

Claims 13-16 and 18-19 are rejected under 102(b) as being anticipated by Choi (US 5,131,013, “Choi”). Claims 20-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Choi in view of Tanis et al. (US Pat Pub 2004/0120360, “Tanis”). These rejections as they apply to the pending claims are hereby traversed for at least the following reasons.

As noted above, the independent claims have been amended to refer to a *piece-wise linear function* of the timing signal phase difference instead of a non-linear function. Specifically, independent claims 1 and 24 have been amended to recite that the stuff bits are generated based on at least a *piece-wise linear function* of a phase difference between the first timing signal and the second timing signal. Likewise, independent claims 13 and 20 have been amended to recite that the relationship between the filtered phase metric signal and the stuff rate signal is *piece-wise linear*.

As the Examiner points out, Choi shows in FIG. 5 a receiver 303 that generates a phase difference signal that is filtered by a moving average digital filter 205 having a non-linear transfer function. Thus, the stuff control signal output from the filter is non-linear and the relationship between the stuff control signal and a stuff decision generated by the stuffing control 509 is nonlinear. In contrast, the present invention employs a piece-wise linear relationship.

Accordingly, for at least these reasons, the rejection of independent claims 1, 13, 20 and 24 and the claims that depend therefrom under 35 U.S.C. §102(b) and §103(a) should be reconsidered and withdrawn.

**CONCLUSION**

Applicant submits that all of the pending claims are now in condition for allowance, an indication of which is respectfully solicited. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

**FEES**

The Request for Continued Examination (RCE) and any additional fees that may be due and owing as a result of this Amendment may be charged to the undersigned attorney's PTO Deposit Account No. 50-1047.

Respectfully submitted,

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Respectfully submitted,

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